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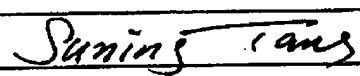
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/768,933
	Filing Date	27 Feb. 2004
	First Named Inventor	Suning Tang
	Art Unit	2871
	Examiner Name	Nguyen, Thanh Nhan P.
	Attorney Docket Number	CRES-P1.1.US
Total Number of Pages in This Submission		6

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	N/A		
Signature			
Printed name	Suning Tang		
Date	22 Feb. 2006	Reg. No.	N/A

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Suning Tang	Date	22 Feb. 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# **Notice of Non-Compliant Amendment (37 CFR 1.121)**

Application No.

10-788933

Applicant(s)

Examiner

Nguyen Thanh NHAN

Art Unit

2871

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on 2-9-06 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐ 1. Amendments to the specification:

- ☐ A. Amended paragraph(s) do not include markings.  
☐ B. New paragraph(s) should not be underlined.  
☐ C. Other \_\_\_\_\_

☒ 2. Abstract:

- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.  
☐ B. Other \_\_\_\_\_

☐ 3. Amendments to the drawings:

- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).  
☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.  
☐ C. Other \_\_\_\_\_

☒ 4. Amendments to the claims:

- ☒ A. A complete listing of all of the claims is not present.  
☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)  
☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original); (Currently amended); (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).  
☐ D. The claims of this amendment paper have not been presented in ascending numerical order.  
☐ E. Other: \_\_\_\_\_

☐ 5. The amendment is unsigned or not signed in accordance with 37 CFR 1.4.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

## **TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121 or 1.4, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Jackie Williams  
Legal Instruments Examiner (LIE)

571-272-1640  
Telephone No.

FEB 22 2006

## In the United States Patent &amp; Trademark Office

## Response to Notice of Non-Compliant Amendment


Attorney Ref.: CRES-P1.1.US  
Client Ref.: Nano LC Device  
First Inventor: Suning Tang  
Title: METHOD, SYSTEM, AND  
APPARATUS FOR OBTAINING  
TRUE TIME DELAYED  
OPTICAL SIGNALS UTILIZING  
ELECTRICALLY SWITCHED  
OPTICAL WAVEGUIDE

Application No.: 10/788,933  
Filing Date: 27 Feb. 2004  
Art Unit: 2871  
Examiner Name: Nguyen, Thanh  
Nhan P.

Confirmation No.: 9537

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

<p align="center"><b>MAILING/TRANSMISSION CERTIFICATE</b> <b>UNDER 37 C.F.R. §1.8(a)</b></p> <p>I hereby certify that the above correspondence is being</p> <p><input checked="" type="checkbox"/> transmitted by facsimile to the Patent and Trademark Office</p> <p><input type="checkbox"/> deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450</p> <p>on <u>February 22, 2006</u>.</p> <p align="center"> Suning Tang</p>
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In response to the Notice of Non-Compliant Amendment dated February 15, 2006, the following listing of the claims is submitted. As was stated in the amendment filed February 9, 2006, please cancel Claims 1-23 from the current application and replace with the new Claims 24-46 as indicated below.